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JAMES T. HARRINGTON

May 5, 1999

Mr. Steven J. Faryan
On-Scene Coordinator (SE-5J)
United States Environmental Protection
Agency, Region 5
77 West Jackson Boulevard
Chicago, IL 60604-3590

Re: CCCI - Work Plan Approval and Conditions

Dear Mr. Faryan:

On behalf of the 6500 Industrial Highway Group, we are in receipt of the US EPA's approval letter dated April 27, 1999. The April 27, 1999 letter approved the Work Plan, Project Coordinator and Contractor for the remediation of the Conservation Chemical Company site that is located in Gary, Indiana. In addition to the approvals, the letter also contains a number of comments that are to be incorporated into the Work Plan. This letter further states that there is no requirement to rewrite the Work Plan and that if the comments in the letter are acceptable, they will be automatically incorporated into the Work Plan, most likely as an addendum.

All of the comments in the April 27, 1999 letter are acceptable to the 6500 Industrial Highway Group **except one comment**. This is the comment pertaining to Section 6.5, Subsurface Soil, on Page 74 of the Work Plan. Page 4 of your letter states "the consent order states that PCB contamination will be evacuated up to a maximum of 500 cubic yards, at which time a re-opener will be evaluated. If an area is identified as greater than 500 cubic yards, the evacuation will start on that area until the 500 cubic yards maximum is reached then negotiation will proceed for potential re-opener to the consent order." This is a misstatement of the AOC.

Section V, Number 2, Subparagraph (o) of the AOC, states as follows

"... However, with regard to 'other PCB-contaminated materials', as described in this subparagraph o., that are estimated to exceed 500

Mr. Steven Faryan
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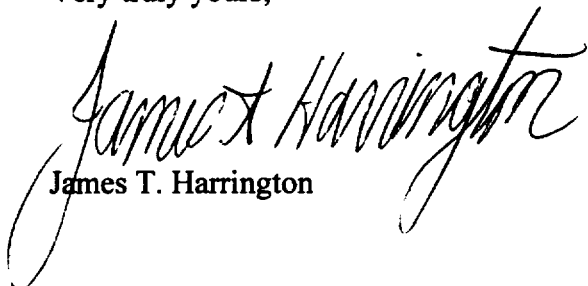
cubic yards in a single pocket, prior to or after Respondents' removal of such 'other PCB contaminated soil materials' up to 500 cubic yards, Respondents reserve the right to 'reopen' the issue of the cleanup of such 'other PCB-contaminated materials'"

Respondents therefore do not accept the proposed condition of the approval of the Work Plan. The 6500 Industrial Highway Group requests that the actual language in the Administrative Consent Order ("AOC") be used in place of the comment in the letter. If this is acceptable to the US EPA, the remediation can proceed without the need for a conference between the parties.

It is our understanding that this issue was discussed by Krikau, Pyles, Rysiewicz and Associates, the remediation contractor, with you, Steve Faryan, US EPA's On Site Coordinator. It is our understanding that you, Mr. Faryan, did not have a problem with changing the comment to the language of the AOC. Please advise us that this one change to the April 27, 1999 letter is acceptable to the US EPA.

If there are any questions, please contact the undersigned..

Very truly yours,



James T. Harrington

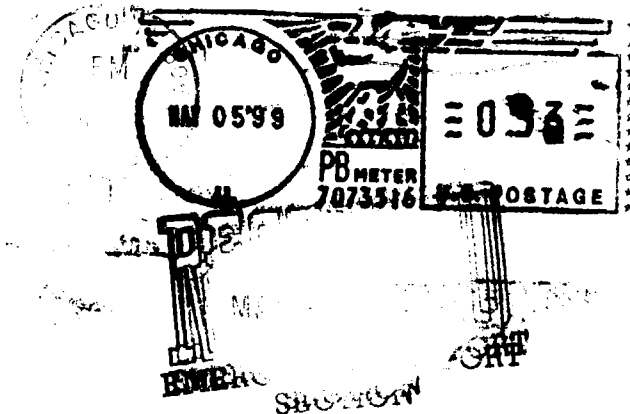
JTH/bjm

cc: Constandina K. Dalianis, Esq
Valerie Mullins, Enforcement Specialist
6500 Industrial Highway Group

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